



ENVIRONMENTAL SERVICES DEPARTMENT

Air Quality Division

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NOTICE OF PUBLIC WORKSHOPS / HEARINGS First Quarter 2001

Maricopa County Environmental Services Department, Air Quality Division, will conduct Public Workshops and Public Hearings regarding the Maricopa County Air Pollution Control Regulations according to the schedule provided in this notice. If the information in this notice changes, the change(s) will be announced on the Internet (at the web site address listed below) and on Maricopa County's Workshop Update Line (listed below).

All **Workshops** will be held at 1001 North Central Avenue, Phoenix, Arizona, **Room 560** unless otherwise noted. Draft rules may be picked up at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona, or on the web at <http://www.maricopa.gov/envsvc/air/workshops.asp>.

For current information on workshop times and locations, call our Workshop Update Line at **(602) 506-0169**. For questions or additional information, call the contact person listed or **(602) 506-6794**.

Public Hearings are held at: Maricopa County Board of Supervisors' Auditorium
205 West Jefferson Street, Phoenix, Arizona

For rules going to public hearing, a summary of the proposed action, a summary of comments and departmental responses and a demonstration of compliance with A.R.S. 49 Subpart 112 A or 112 B will be available along with the draft rules at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona.

Rules are effective as of the date of approval by the Board of Supervisors unless an effective date for certain revisions is otherwise noted within the text of the rule.

A sign language interpreter, alternative form materials, or infrared assistive listening devices will be made available at the Public Workshops and Hearings upon request with 72 hours notice. Additional reasonable accommodations will be made available to the extent possible within the time frame of the request. Requests should be made to (602) 506-6794.

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January - March 2001

PUBLIC WORKSHOPS

RULE/TITLE	DRAFT AVAILABLE	WORKSHOP DATE	TIME	COMMENTS DUE	CONTACT
322, Power Plant Operations (New)	1/18/01	2/1/01	9:00 AM	2/16/01	Nelson
323, Fossil Fuel Burning Combustion Equipment from Industrial-Commercial-Institutional Sources (New)	1/18/01	2/1/01	9:00 AM	2/16/01	Nelson
358, Foam Expansion (New)	2/1/01	2/15/01	1:30 PM	3/2/01	Kramer-Howe
280, Fees	2/15/01	3/1/01	9:00 AM	3/16/01	Crumbaker
350, Bulk Storage of Gasoline and Organic Liquids	2/15/01	3/1/01	1:30 PM	3/16/01	Kramer-Howe
351, Organic Liquid Transfer To and From Bulk Tanks	2/15/01	3/1/01	1:30 PM	3/16/01	Kramer-Howe
200, Permit Requirements	3/1/01	3/15/01	9:00 AM	3/30/01	Kuspert
324, Stationary Internal Combustion Engines (New)	3/1/01	3/15/01	9:00 AM	3/30/01	Nelson

PUBLIC HEARINGS

RULE	HEARING DATE	DRAFT AVAILABLE	CONTACT
210, Title V Permit Provisions	2/7/01	1/5/01	Kuspert
240, Permits for New Major Sources & Major Modifications to Existing Major Sources	2/7/01	1/5/01	Kuspert
300, Visible Emissions	2/7/01	1/5/01	Kuspert
100, General Provisions & Definitions	3/7/01	2/2/01	Kuspert
321, Municipal Solid Waste Landfills	3/7/01	2/2/01	Romesburg
360, New Source Performance Standards	3/7/01	2/2/01	Romesburg
370, Federal Hazardous Air Pollutant Program	3/7/01	2/2/01	Romesburg
371, Acid Rain	3/7/01	2/2/01	Romesburg

Public Workshops and Hearings are subject to change. Please call 602-506-0169 or go to <http://www.maricopa.gov/envsvc/air/workshops.asp> for updates.

REVISIONS TO BE DISCUSSED AT PUBLIC WORKSHOPS:

Rule 200 (Permit Requirements)

Maricopa County is proposing to revise Rule 200 to clarify permit requirements for nonroad engines.

Rule 280 (Fees)

The Department is scheduling a sixth workshop on Phase Two of the Air Quality Program's Workload Analysis and proposed fee revisions. Overhead costs have been updated and minor errors corrected. Phase One of the workload analysis, which was completed last August, addressed programs that were specific to Maricopa County's nonattainment area requirements. The second phase of Maricopa County's fee revisions will address fees for Title V and Non-Title V sources, which have not been increased since 1993 (except for Stage I Vapor Recovery). The Department is proposing to increase these fees to be approximately equal to or less than the fee or costs of obtaining similar permits from the Arizona Department of Environmental Quality (ADEQ). As a result of comments received to date, the Department has prepared a proposal keeping the flat fee tiered structure, but adding a third tier of sources listed as Table C. For Title V sources and synthetic minor sources, the Department is proposing a combination of flat fees, emissions fees and per hour fees. These proposed fees follow the format and rates proposed by ADEQ with input from a stakeholder process that included affected businesses, other County air quality programs and the Department.

In addition, the annual inspection and processing fee will be combined with the permit review fee (due once every five years for permit renewal) such that the permitted source will pay the same fee every year. This system would replace the current system that assesses the annual fee each year and, in the fifth year, assesses both the annual fee and the permit review fee. This annual fee will be adjusted each year by the consumer price index.

Maricopa County has also issued four general permits and is in the process of developing two others. For each general permit, the County calculated source specific fees due to differences planned in annual inspection frequency. Three of the four categories of general permits issued apply to source categories required to implement rules contained in the ozone State Implementation Plan (SIP) for Maricopa County. The fees for the Stage I Vapor Recovery Program are proposed to increase slightly again to reflect the updated program costs and indirect costs calculated from the recently completed workload analysis.

New Rule 322 (Power Plant Operations)

Maricopa County has held two workshops on this rule and there have been many outstanding issues. This rule applies to all fossil fuel burning equipment, such as boilers and combined cycle gas turbines, that have a heat equal to or greater than 100 million Btu. The previous draft addressed stationary gas turbines used to generate electric power that have a heat input of equal to or greater than 0.3 megawatts. It was decided that this applicability limit was too low, so it will be raised to 3.0 megawatts. There are standards for particulate matter and nitrogen oxide (NO_x), as well as a 0.05% sulfur in fuel oil requirement. The standards for NO_x and particulate matter are the same as New Source Performance Standards (NSPS), Subparts Da and Db, except that the NSPS apply to larger units (>250 MM Btu per hour heat input). There are no NSPS for particulate matter for stationary gas turbines. There will also be carbon monoxide emission limitations that are not found in NSPS. Recordkeeping and test methods will also be included in the rule. Maricopa County will also discuss continuous emission monitoring system requirements at this workshop.

New Rule 323 (Fossil Fuel Burning Combustion Equipment from Industrial-Commercial-Institutional Sources)

New Rule 323 will address standards for industrial/commercial/institutional fossil fuel burning combustion units. The units will be broken down into large, medium and small, based upon their maximum design heat input capacity. There will be different nitrogen oxide (NO_x) emission limitations for these units based upon the type of fuel used. Like Rule 322, this rule will also address limitations for particulate matter in the larger units and also a 0.05% sulfur in fuel limitation for all units. The limitations for NO_x and particulate matter are based upon NSPS. There will also be limitations on carbon monoxide emissions.

New Rule 324 (Stationary Internal Combustion Engines)

Maricopa County currently does not have a rule that addresses emissions from stationary internal combustion engines. There is only a reference in Rule 200 that requires a permit for engines over 250 horsepower. Rule 324 will apply to engines over 250 horsepower and to a combination of engines used in the same process at one source that were manufactured on or before July 13, 1988. Rule 324 will set emission limits for nitrogen oxide, particulate matter and carbon monoxide from these engines and also set a 0.05% sulfur limit in fuel oil. There will be exemptions for different types of engines, such as military tactical equipment, gas turbines, portable engines, engines used in agricultural operations, fire-fighting, flood control, emergency generators that operate less than 500 hours per year and also have the potential to emit less than 4,000 pounds

of nitrogen oxide or carbon monoxide per year, and those engines used exclusively for research and testing purposes or for the advancement of engine performance.

Rules 350 (Bulk Storage of Gasoline and Organic Liquids) & 351 (Organic Liquid Transfer To and From Bulk Tanks)

Rule 350 addresses how to store gasoline and other volatile organic liquids in large bulk tanks, while Rule 351 addresses the transfer of these liquids in and out of bulk tanks. The previous additions to both rules remain the same.

The bulk of the changes bring the wording in the rules up to current standards for completeness, format, clarity, and accuracy. Revisions include improved definitions and test methods, and more detailed information on when and how to perform inspections. The threshold for the vapor-tight standard is revised from 100% of the lower explosive limit (LEL) to the more stringent standard (1/5th LEL) currently used in the related gasoline distribution rules, Rules 352 and 353. The requirement for bottom loading of gasoline is now stated in Rule 351. Specific language has been added to prevent the addition of any obsolete equipment at gasoline bulk plants.

Other changes that reduce volatile organic compound (VOC) emissions:

- The scope of basic emission control requirements now include most large tanks in production processes that emit VOCs, such as in the manufacturing of paint, adhesive, fragrances and chemicals.
- The proposed rule now requires the same vapor controls on tanks having 20,000 through 39,999 gallons capacity for gasoline contents as it requires (and has been required) for non-gasoline, volatile substances.
- When a large gasoline storage tank at a terminal is being cleaned out, all the vapors that have been vented to the atmosphere will have to be contained and/or processed until the vapor concentration in the tank is below 50% of the LEL. By 2008, this requirement will apply to all gasoline tanks over 39,999 gallons at terminals. Small and midsize tanks are exempt in the coldest months, January and February, when VOC evaporation rates are lowest.
- During hours that a loading rack dedicated to diesel and/or turbine fuel is unmanned, Rule 351 now requires that a vapor control device such as a charcoal-packed canister be used to reduce the VOC emission of those trucks that are switch-loading. Rule 351 now addresses the transfer of alcohol and ether oxygenate from railcars at terminals, processes previously unregulated by these rules.

To make the rule less burdensome for operators of internal floating roof tanks, annual up-close inspection of perimeter seals has been replaced by semi-annual measurements inside the tank with a combustible gas detector.

New Rule 358 (Foam Expansion)

Section 182(a)(2)(A) of the Clean Air Act requires that Reasonably Available Control Technology (RACT) be applied in nonattainment areas to control volatile organic compound (VOC) emissions from each source with the potential to be a major source of air pollution. For ozone non-attainment areas classified serious, as Maricopa County is, a major source is one with the potential to emit over 50 tons of VOCs annually. Four expanded foam-manufacturing companies with air pollution permits in the Maricopa County ozone non-attainment area have this potential.

The affected facilities emit VOCs in the process of making rigid polymer foam by expanding polystyrene beads that encapsulate pentane or other VOCs. Under heat, the beads expand like popcorn to become blobs of plastic foam, dozens of times their original volume. VOCs are released during this expansion process and during the subsequent cooling of the foam. A lesser amount of VOCs are released later in the process when the expanded foam pebbles are placed into molds and fused together under heat and pressure to form a molded solid.

Maricopa County is proposing to incorporate control methods in Rule 358 that are commonly used by other air pollution control districts, including some control methods that are already in use at the affected facilities.

REVISIONS TO BE DISCUSSED AT PUBLIC HEARING:

Rule100 (General Provisions and Definitions)

Maricopa County is proposing to make technical corrections to three definitions.

In the definition of non-precursor, Maricopa County is proposing to add the compound, "cyclic, branched, or linear completely methylated siloxanes", which was inadvertently deleted in a previous rulemaking, and to clarify existing compounds, in order to match the Arizona Department of Environmental Quality's rules and the Environmental Protection Agency's rules.

In the definition of solvent-borne coating material, Maricopa County is proposing to add the word, "that", between the words "primarily means" and "of", in order to make the definition more clear.

In the definition of synthetic minor, Maricopa County is proposing to delete the word, "including", in order to make the definition consistent with the description of synthetic minor in Rule 220 (Non-Title V Permit Provisions), Section 304 (Permits Containing Voluntarily Accepted Emissions Limitations, Controls, or Other Requirements (Synthetic Minor)).

Rules 210 (Title V Permit Provisions), 240 (Permits for New Major Sources And Major Modifications To Existing Major Sources), and 300 (Visible Emissions)

This is the New Source Review (NSR) Fix-Up Rulemaking Package.

Revisions to Rule 210: The proposed revisions to Rule 210 correspond with the Arizona Department of Environmental Quality's (ADEQ's) final rulemaking effective December 20, 1999. ADEQ incorporated 40 CFR 64 (the Federal Compliance Assurance Monitoring (CAM) rules) into Arizona air quality rules. ADEQ clarified existing language concerning significant revisions for Title V sources so that CAM will be implemented the same way in Arizona as in the rest of the country, and modified the definition of major source, due to the Environmental Protection Agency's (EPA's) expected action extending interim Part 70 approval for Arizona beyond the current June 1, 2000 expiration date. ADEQ also made minor technical changes in the Permit Application Processing Procedures section.

Revisions to Rule 240: The proposed revisions to Rule 240 correspond with ADEQ's changes to NSR regulations in Title 18 (Environmental Quality), Chapter 2 (Department of Environmental Quality-Air Pollution Control), Article 4 (Permit Requirements for New Major Sources and Major Modifications to Existing Major Sources), effective September 22, 1999. Maricopa County is also proposing to add a mobile source emission reduction credit (MERC) provision to Rule 240 in new Subsection 306.13, which is based on San Diego's Rule 27.

ADEQ revised Article 4 because the Phoenix ozone nonattainment area was reclassified to serious, and to address EPA's written comments regarding the New Source Review/Prevention Of Significant Deterioration (NSR/PSD) Permit Rules.

ADEQ modified the definition of major source so that changes at minor sources in the Phoenix ozone nonattainment area, in addition to increasing emissions above the major source threshold, would have to be significant in order for the change to subject the source to NSR. This makes ADEQ's rule more closely parallel the Federal NSR program for serious and severe ozone nonattainment areas.

In addition, ADEQ removed the requirement that creditable emission decreases must be simultaneous to the modification. This is consistent with the current Federal rule, which takes into account changes over a 5-year period when adding up emission increases and decreases to determine whether the net emission increase is significant (25 tons). This encourages sources to make facility changes that decrease emissions earlier, because the decrease will count against emission increases for 5 years, not only when simultaneous with the change.

ADEQ added a de minimis or trivial increase/decrease level for aggregation purposes. For discussion and comment in May 1998, ADEQ proposed a range of levels: 1, 2, and 3 tons. After further discussion and comment, and based on action taken on other State rules, ADEQ decided that only the 1 ton level would be approvable by EPA.

Revisions to Rule 300: The proposed revisions to Rule 300 are intended to match Maricopa County Rules 130 (Emergency Provisions) and 140 (Excess Emissions). Maricopa County deleted Sections 501 (Emergency Provision) and 502 (Excess Emissions) from Rule 100 and Section 501 became Rule 130 while Section 502 became Rule 140.

Rules 321 (Municipal Solid Waste Landfills), 360 (New Source Performance Standards), 370 (Federal Hazardous Air Pollutant Program) and 371 (Acid Rain)

Maricopa County is proposing to update its incorporations by reference of the following federal regulations: New Source Performance Standards (NSPS); National Emission Standards for Hazardous Air Pollutants (NESHAP); and Acid Rain.

In Rule 321, 40 CFR 60, Subpart WWW, Municipal Solid Waste Landfills, is incorporated by reference. In Rule 360, updates to the federal NSPS regulations are incorporated as of July 1, 1999. In Rule 370, updates to the federal NESHAP regulations are incorporated as of July 1, 1999. In Rule 371, updates to the federal Acid Rain regulations are incorporated as of July 1, 1999.

The Environmental Services Department will be requesting delegation of authority for enforcement of the revisions in Rules 360, 370 and 371 from the U.S. Environmental Protection Agency.